IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 2 OF 2005

SHRI PRASAD P.TELI,VALPOI,SATTARI GOA. ....Appellant

Versus

VALPOI MUNICIPAL COUNCIL,VALPOI GOA. ....Respondent

Shri D.Pangam, Advocate for the Appellant.

Coram:- R. M. LODHA, J.

Date:- 26th October, 2005

P.C.:

Heard Shri D. Pangam, learned Advocate for the appellant.

Learned counsel for the appellant prays for withdrawal of the appeal with liberty to the appellant to challenge the Order of eviction passed by the Estate Officer in appeal provided under law.

Appeal is allowed to be withdrawn. It is for the appellant to pursue the remedy available in law. It may be noticed that the appellant filed the Suit before the Civil Court challenging the Order of eviction which came to be dismissed by both the Courts below. The Order of the Courts below cannot be said to suffer any error of law or jurisdiction; the suit being not maintainable in law.

Second Appeal is dismissed accordingly.

R. M. LODHA, J.

sl.